

REMARKS/ARGUMENTS

In the specification, paragraphs [0037], [0038], and [0048] have been amended to correct minor editorial problems.

Claims 1-55 are pending in the application. The Applicant notes with appreciation that the Examiner has allowed Claims 42-45. The Examiner objected to Claims 12-15, 18, 22-34, and 37-41, noting that these claims would be allowed if rewritten in independent form with all of the limitations of the base claims and any intervening claims. By the amendment herein, Claim 1 now includes the limitations of Claim 12, which has been canceled. Claim 1 has further been amended for clarity by restating a passive-voice clause. Support for this amendment to Claim 1 is found in the specification in paragraph [0021]. Claims 13, 17, 18, and 35 have been amended to depend from amended Claim 1. Claim 22 has been amended to depend from Claim 15. Claims 14-18, 23, 27-29, 32, 34, 36-38, and 41 have been amended to correct minor editorial problems.

Ten new claims have been added. Claims 46 and 47 depend from Claim 1, and add a feature of a specific center wavelength as described in the specification, for example at paragraph [0054]. Claims 48 and 49 depend indirectly from Claim 1, and add a feature of a focal plane array as described in the specification, for example at paragraph [0035]. Claims 50-52 depend from Claim 1, and add a feature of a hole in the first fold mirror or primary mirror, as described in the specification, for example at paragraph [0037]. Claims 53-55 add a feature of a housing as described in the specification, for example at paragraph [0020]. Claim 53 depends from Claim 1. Claims 54 and 55 include elements similar to allowable Claim 53, with the feature that the housing is aspherical in shape. No new matter has been added. Applicant requests reconsideration and allowance of all pending claims as amended.

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Claim Rejections under 35 U.S.C. § 103

The Examiner rejected Claims 1-11, 16, 17, 19-21, 35, and 36 under 35 U.S.C. § 103(a) as being unpatentable over Kiunke et al. (U.S. Pat. No. 5,363,235) in view of Cooper (U.S. Pat. No. 5,936,771). Without acceding to propriety of the rejections, or any of the Examiner's assertions made for these rejections, Applicant believes that the rejections are now moot because of the claim amendments herein.

Applicant further notes that the Examiner's specific statement that regarding Claim 19 "Kiunke et al discloses, wherein a second fold mirror (28) is transparent to a desired infrared wavelength (column 2, lines 62-63)" is in fact unsupported by the Kiunke patent.

SUMMARY

It is respectfully submitted that Claims 1-55 now pending in this application are in condition for allowance, and such allowance is respectfully requested. If prosecution of the application can be expedited by a telephone conference, the Examiner is invited to call the undersigned at the number given below.

Respectfully submitted,

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